IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3791 OF 2004

Ashok Vandya Konkar ... Applicant

versus

State of Maharashtra ... Respondent

...

Mr. P.L. Sapkale, for the Applicant.

Mr. V.B. Konde Deshmukh, for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

21st September 2004

P.C.:

. Heard Counsel for the parties. As other accused have already been released on bail, the Applicant, on parity, deserves to be released on bail. Investigation is complete and charge sheet has been filed. To get over this position, learned A.P.P. placed reliance on the observations made by the Court below while rejecting the bail application that insofar as the present Applicant is concerned, he has been named by eye witness and specific role has been

ascribed to the Applicant. Counsel for the Applicant submits that there are cross cases pending between the parties. Besides, the statement of so-called eye witness has been recorded after 14 days of the incident. Taking overall view of the matter and as investigatiion is complete, the Applicant deserves to be released on bail on the following conditions :

a) The Applicant is released on bail in connection with Cr.No. I-57/2004 of Kolsewadi Police Station on executing personal bond in the sum of Rs.25,000/- with two sureties in the like amount.

b) The Applicant shall not influence the prosecution witnesses or attempt to tamper the prosecution evidence in any manner whatsoever.

c) The Applicant shall extend full co-operation to the trial Court for early disposal of the case. If the trial Court is of the view that the Applicant is responsible for the delay of the trial, that can be a ground for cancellation of

bail.

d) The Applicant shall not enter the jurisdiction of Kolsewadi Police Station and shall report to the Ambernath Police Station, where he is presently residing and furnish details of his address and place of residence to the said police station. He shall report once in four weeks on Saturday between 11 a.m. to 5 p.m. at Ambernath Police Station.

. Application disposed of accordingly.

(A.M.KHANWILKAR,J.)